APPROVAL OF CONSENT AGENDA

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/(954) 797-

1103

PREPARED BY: Carlo F. Galluccio III, Planner I

SUBJECT: Resolution

AFFECTED DISTRICT: 2

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "THE ORANGE DRIVE - PINE ISLAND PLAT," AND PROVIDING AN EFFECTIVE DATE. (DG 8-1-09, Zinn, 4450 South Pine Island)

REPORT IN BRIEF: The petitioner requests approval to amend the following recorded restrictive note on the plat known as "The Orange Drive - Pine Island Plat," to accommodate the United States Post Office within the existing gas station.

FROM: Parcel A is restricted to 13,000 square feet of commercial use and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

TO: Parcel A is restricted to 9,036 square feet of unrestricted commercial use (6,712 square feet of existing and 2,324 square feet of proposed); an eight (8) fueling position service station with a 2,024 square foot canopy, a 710 square foot carwash, and 3,260 square feet of convenience store (2,575 existing and 685 proposed); and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

Staff finds the proposed plat amendment consistent with the existing and future use of the subject site.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Other - Staff finds the application complete and suitable for transmittal to Town Council for further consideration.

Attachment(s): Resolution; Justification letter; Plat; Note Amendment; Future Land Use Plan Map; and Zoning Site Map

RESOLUTION NO.

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "THE ORANGE DRIVE - PINE ISLAND PLAT," AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the boundary plat known as the "The Orange Drive - Pine Island Plat" was recorded in the public records of Broward County in Plat Book 148, Pages 31, Broward County Records; and

WHEREAS, the owner desires to amend the restrictive note associated with said plat; and,

WHEREAS, Broward County requires that the Town of Davie concur with this amendment prior to a review of the proposed revision by Broward County Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie does hereby approve the proposed amendment to the "The Orange Drive - Pine Island Plat" (Plat Book 148, Pages 31, Broward County Records) being specifically described in the exhibits attached thereto.

<u>SECTION 2.</u> Any improvements required to satisfy Transit Oriented Concurrency should be located within the Town of Davie on the local road network.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS	DAY OF	, 2009.
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ATTEST:		MAYOR/COUNCILMEMBER	
TOWN CLERK			
APPROVED THIS	DAY OF	, 2009.	



DAVIS & PURMORT, INC.

Land Surveyors Land Development Consultants Planners 843 Southeast 8th Avenue, Deerfield Beach, FL 33441-5609 Phone:954-698-9101 or 954-421-9101 Fax: 954-421-5201

August 3, 2009

Town of Davie Planning & Zoning Division 6591 Orange Drive Davie, Florida 33314-3399

RE:

Justification letter for The Orange Drive – Pinc Island Plat

Dear Planning & Zoning Department:

In connection to our client, Zinn Petroleum LLC, planned addition to above-mentioned parcel, Broward County is requesting a letter from the Town of Davie stating no objection to the precise current and proposed note language approved by Broward County.

We are now requesting approval to the Town of Davie for the earliest Town Council agenda.

Thanks you in advance.

Paul A. Davis, PSM

Vice President

Sincerely

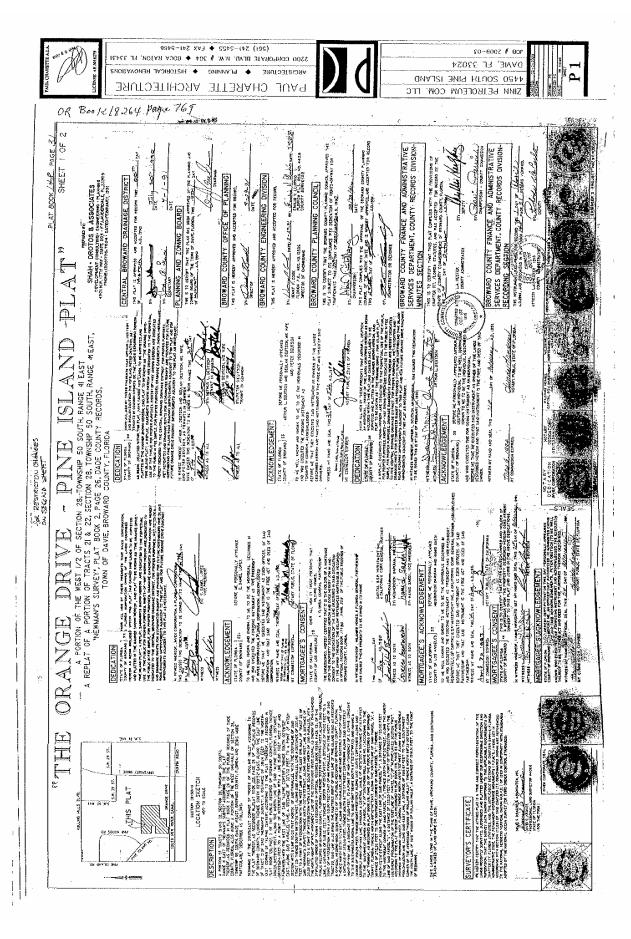
cc: Mr. David Zinn

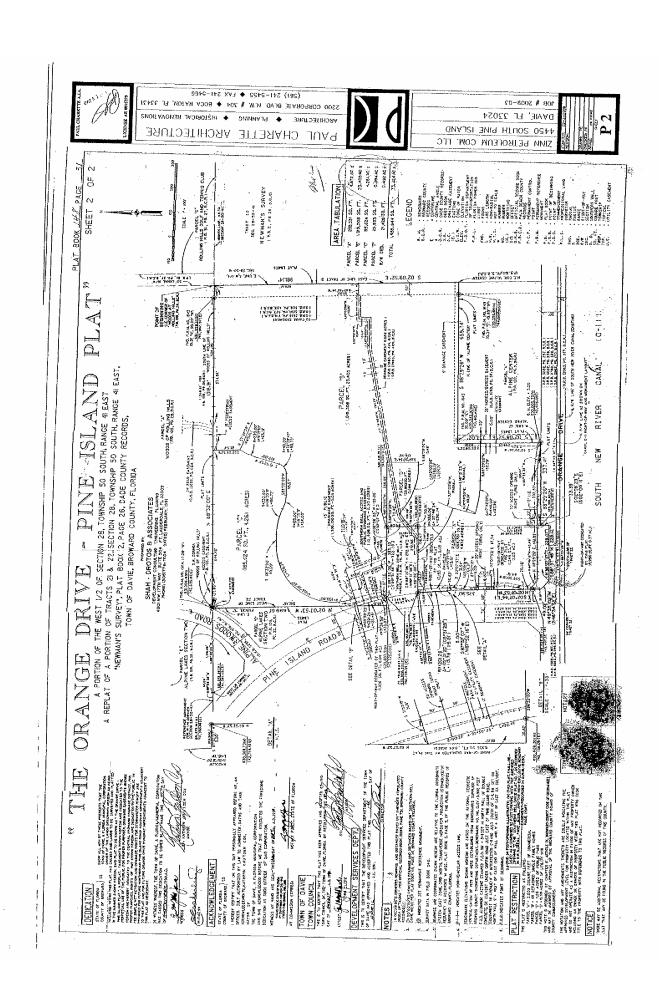
Zinn Petroleum LLC

4450 South Pine Island Road

Davie, FL 33024

Ltr/ Zinn no objection





Current Note:

Parcel A is restricted to 13,000 square feet of commercial use and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

Proposed Note:

Parcel A is restricted to 9036 square feet of unrestricted commercial use (6712 square feet of existing and 2324 square feet of proposed); an eight (8) fueling position service station with a 2024 square foot canopy, a 710 square foot carwash, and 3260 square feet of convenience store (2575 existing and 685 proposed); and a Charter School comprised of 18,288 square feet of elementary school and 9,144 square feet of middle school.

Parcel B is restricted to 118 single family homes.

Parcel C is restricted to 4.26 acres of public park.

Parcel D is restricted to .59 acres of utility site.

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